

REMARKS

In the Final Office Action that was mailed on April 6, 2006, claims 1, 3, 7-10, and 14 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,311,327. Claims 2, 11-12, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,311,327, in view of U.S. Patent No. 5,608,720. Claims 4-6 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,311,327, in view of Patent No. 5,608,720, further in view of U.S. Patent No. 5,245,615. The foregoing rejections are respectfully traversed.

Claims 1-15 are pending in the subject application, of which claims 1 and 9-11 are independent claims.

Entry of Amendment After Final Rejection:

The Applicant respectfully asserts that the amendments presented herein require only a cursory review by the examiner, and respectfully requests that the examiner enter such amendments.

Amendments to the Claims:

Independent claims 1 and 9-11 are amended herein to recite "prior to retail sale, removing each text string from the program; and releasing the program for retail sale." Care has been exercised to avoid the introduction of new matter. Support for the amendments to claims 1 and 9-11 may be found in the Specification at page 10, lines 20-21.

Rejections of the Claims:

O'Brien is limited to implementations "in an embedded system without the requirement that the embedded system have on-board data storage and/or output port capabilities in a manner that does not consume system memory resources, including memory, processor time and I/O resources, of the target system." (O'Brien, col. 3, lines 20-25). O'Brien repeatedly refers to the use of a probe chassis 20, a ribbon cable 18, and a probe tip 12 to read the tags. (O'Brien, Figs. 1 and 2; col. 7, lines 21-30). Clearly, programs instrumented using the technique discussed in O'Brien are not ready for retail sale. Specifically, consumers generally do not own

sophisticated probing hardware and certainly would not want to connect a probe when an application crashes.

In contrast, independent claims 1 and 9-11 (as amended herein) recite "prior to retail sale, removing each text string from the program; and releasing the program for retail sale." O'Brien does not disclose or suggest the same, because O'Brien discusses only the use of probe hardware to read the instrumented tags. Therefore, independent claims 1 and 9-11 (as amended herein) are patentably distinguishable over the cited references. Dependent claims 2-8 and 12-15 are allowable based in part on their dependency from one of independent claims 1 and 9-11.

Withdrawal of the foregoing rejections is respectfully requested. The remarks herein are to be interpreted only in the context of the specific claims for which they are presented.

There being no further objections or rejections, it is submitted that the application is in condition for allowance, which action is courteously requested. Finally, if there are any formal matters remaining after this response, the examiner is requested to telephone the undersigned to attend to these matters. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-2112.

Respectfully submitted,

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